



10-3-06

Ifu

Mr. Tuan N. Nguyen  
U.S. Patent Office  
Washington, D.C.

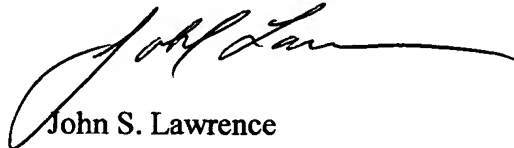
Oct. 1, 2006

RE: Application No. 10/823, 193

Dear Sir:

As you have instructed in your enclosed Notice, I have cancelled the first nine claims of my patent application and added an additional nine claims. In the past, I have used the services of a retired patent attorney, however, he has since passed away and I was not familiar with what was necessary as far as including new wording in the claims, etc.. Thank you for your help. If you require any further information or corrections, please advise me at your convenience.

Sincerely,



John S. Lawrence



**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.	Applicant(s)	
10/823,193	LAWRENCE, JOHN S.	
Examiner	Art Unit	
Tuan N. Nguyen	3751	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 22 August 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:


**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

\_\_\_\_\_  
Legal Instruments Examiner (LIE), if applicable

\_\_\_\_\_  
Telephone No.

Continuation of 4(e) Other: In an amended claim, the deleted language needs to be crossed out and only the newly inserted language needs to be underlined. The typing need to be double space. It is recommended that the applicant canceled original claims 1-11 and start with new claim 12 to etc. New claims do not need to be underlined. Please call the examiner or consult and patent attorney for assistance.

  
 TUAN NGUYEN  
 PRIMARY EXAMINER  
 9/5/06



I Claim:

1. In a device so designed and fabricated so as to deliver a continuous or intermittent stream of paint, stain, or other paint-like material to the working or "bristle" end of a standard off the shelf paint brush from a remotely located, but fully connected portable paint vessel, the paint stream being propelled over and through, internally, a flexible tube of convenient diameter and length so as to render the paint completely flowable along the internal aspect of the tube and thus the paint being capable of being delivered in like manner to another rigid tube, when properly and snugly connected to the same, that original flow or stream of paint proceeding into and through the rigid tube at its one connecting terminus and thus being expressed from the other terminus of the same tube, which, due to a flattening of the tube, which thusly appears as a triangular entity, creates a restricted, ovoid aperture, the so-designed opening of which provides two distinct functions, i.e., on the one hand, due to the restricted nature of the aperture, the paint flow is regulated or flow-restricted in such a manner as to provide some merit of control of the volume of the paint material, and also, secondly, to distribute the paint material in a broadened pattern onto the bristle or working area of the standard paint brush, the triangular terminus being so ideally placed in that area so as to effect a flow of paint or other paint-like material to the bristle end of the brush and, thusly, the paint to further penetrate the said area, the paint distribution to be further augmented and assisted by an attached distribution apron of such design to aid in the further travel and spreading of the paint material to the lower portion of the bristle end of the brush in such a manner

as to deliver the paint material closely to the working ends of the bristles of the brush, thusly to be spread onto the to be painted surface as is traditionally done by an operator utilizing a standard paint brush to accomplish paintwork.

2. A device so designed and described in claim 1 which has the ability to be completely attached to a standard, off the shelf paint brush in such a manner as to be fully adjustable to be fit onto and to be patently usable on a variety of brush sizes, the brush itself having no modifications within itself and being fully usable with or without the said attached device.

3. A device of claim 2 whereby it has the capability of being attached to a standard, off the shelf paint brush by a set of adjustable lateral and integral "J" shaped brush clamps, these clamps being applied to and snugged against the sides of the brush in a location which would be somewhat centrally located on the brush and in the area of the connection between the brush handle and the brush bristles, or other material end, the said adjustable clamps having the ability to be tightened in a "closed" or snug position against the brush sides and thusly providing a firm and secure attachment for the device on the top surface of the standard paint brush, but, in no way interfering with the traditional use of the brush to spread paint by an operator.

4. A device which when assembled from its component parts and fully and securely attached to a standard paint brush would have the ability to act as a conduit for paint or other paint-like material to be delivered from a remote vessel containing the paint material through a series of two tubes, the one flexible, and the other rigid, and when

connected to each other and, thusly connected to the remote vessel, the paint material following the enclosed course of the tubing, to be ultimately delivered to the bristle end of the standard paint brush, effecting an ever-flowing or intermittent stream of paint material to the working surface of the brush without the necessity of having the brush to be "dipped" into a paint can or otherwise supplied with paint, the device comprising:

a. a first element or stationary platform, being of a convenient size and design so as to fit on the top surface of a standard paint brush in the central area of the brush, between the handle and bristle end, the platform featuring a centrally located pair of flexible retaining clips and at least two eccentric knobs, which when turned, provide an internal thread which has the ability to engage a screw passing from below the stationary platform and effect a tightening of other component members to the platform and

b. a second element consisting of at least two "J" shaped structures or clamps with integral slots, which when placed directly below the stationary platform and connected to the platform via a threaded screw, which itself is connected to a disc-shaped boss, this combination of boss and screw to pass from the underside of the clamps, through the slots and into and through the stationary platform and engaging the tightening knobs the whole of which can be thusly tightened together, providing two distinct and important functions, that is, on the one hand, having the ability of the clamps to engage several different paint brush sizes and, on the other hand, to securely fasten the stationary platform or element one, to the top surface of the paint brush, providing a stable table-like unit and

c. a third element, which consists of a rigid tube of convenient diameter having at one terminus a connection with a flexible tube and at the other, a flattened,

triangular-shaped terminus with a smaller diameter, ovoid opening which, in effect, would restrict paint flow and also provide an element of paint spreading ability, in addition, the rigid tube having a series of grooves or detents, which render use as a longitudinal positioning function for the tube when connected to the flexible retaining clips featured on the stationary platform or element one, and.

d. a forth element, consisting of a trapezoidal or similar shaped apron-like structure, which when fabricated out of a possible variety of materials, such as brush bristles, dense foam, or thin, flexible plastics, etc., and being bound together and having an underside centrally located set of flexible retaining clips, which when engaged and connected to the rigid paint tube, or element three, acts in several distinct and valuable ways, i.e., to promote paint flow and distribution to the working or bristle end of the paint brush as well as providing a containment function for the paint emitted from the terminus of the rigid tube, or element three.

5. the device as described in claim 4 that when connected to a remote paint containment vessel, this vessel having an electrically activated pump and paint siphon tube, which when connected to the flexible tube and thusly at some distance to the terminus of the rigid tube, or element three of claim 4, makes it possible for a continuous or intermittent stream of paint material to be actively transferred from the remote paint vessel, via the flexible and rigid tubes as delineated in claim 4, to the working or bristle end of the paint brush, the whole of which is controlled via a remote on-off electric button-type switch, which, via a ring-like structure, can be connected to the finger of the operator and thus, provide for the activation of the pump to deliver the required paint or paint-like material from the pump to the bristles of the brush with no other intervening or secondary paint source needed.

6. a device as described in claim 4, which can be used on a variety of standard paint brushes made of differing materials such as China bristle, plastic resin bristle, dense foam or any other material that has the ability to hold, transfer and apply paint or paint-like material to a to-be-painted surface and that such a device is not restricted in use to any type of standard paint brush, based on the shape of the brush, be it flat, round, etc., the device having the ability to deliver the paint material and to be attached to said brushes of differing shapes in a similar manner throughout as described in claim 4.

7. a device as described in claim 4, which can be connected to any type of remote paint vessel and at any desired distance or position from the brush or the operator at will, this would include any type of pump vessel or gravity feed vessel or cup containing paint or paint-like material which has the ability to be delivered through a series of tubing to the paint brush.

8. a device as described in claim 4, that would be able to transport and spread any of the available types of paint material or stains or paint-like material, be it oil based, latex based, oil or latex stains, etc., regardless of viscosity or chemical makeup of the material, as long as it is a product designed to be utilized by any type of standard paint brush application.

9. a device as described in claim 4, having a distribution apron-like structure, which has the ability to be fabricated out of a variety of materials, such as bristles, foam



10. A device for painting a surface which, in conjunction with a standard off-the-shelf paint brush, the parts of which when fully assembled, allow an operator to deliver a stream of paint, stain, or other paint-like material in a continuous manner, without the necessity to periodically stop to reload the brush with paint, the same device comprising:
- a. a remotely located supply vessel containing a quantity of paint material, the paint being forcibly delivered through a flexible tube and being connected to;
  - b. an applicator such as a standard off-the-shelf paint brush, the paint delivered to the brush area and the flow directed and controlled by;
  - c. a delivery system comprising:
    - 1. a rigid, non-flexible tube which is fully connected to the flexible paint tube, the paint passing un-impeded from the flexible paint tube through the rigid tube on one end, and the other end of the rigid tube having a flattened, triangular shape, which creates an elongated, ovoid opening for paint flow delivery and control to the brush bristle area;
    - 2. a distribution apron, which is a fan-shaped structure, attaching directly to the rigid tube;
    - 3. a stationary platform, which acts to connect and support the rigid tube and distribution apron on the top surface of the brush;

4. a finger-mounted on-off switch which is connected to the paint vessel, allowing the operator to hold the paint brush and control the flow of paint by pressing the switch against a hard surface of the brush all with one hand only.
11. The device as delineated in claim 10, wherein the paint supply vessel features a self-contained electrically operated pump or in the case of no electric power being available, a funnel-shaped vessel hung higher than the work area, providing a gravity paint flow – in either case, the paint having the ability to be directed through a length of flexible tubing to a standard, off-the-shelf paint brush, allowing an operator to spread paint continuously, without interruption, with a standard, typical paint brush of any standard construction or size, that type of paint brush allowing for paint application where the control, amount, and application of the paint is critical.
12. A device that is recited in claim 10, wherein an applicator for spreading paint onto a surface consists of a standard, off the shelf paint brush of common construction, readily available at a low cost and being capable, as is standard, of being used repeatedly and being able to be thoroughly cleaned in between uses, the construction materials of which can vary, so as to feature differing bristle materials, flexible foam, etc..

13. A device as delineated in claim 10, wherein paint is delivered from a remote paint vessel through a convenient length of flexible tubing to a rigid, non-flexible tube, one end of which is connected to the flexible paint supply tube, allowing paint to pass un-impeded from the paint supply tube into and through the rigid, non-flexible tube, and the other end of the rigid tube featuring a flattened, triangular shaped end, the result of which is an elongated, ovoid opening in the tube which acts as a pathway for lateral distribution of paint on the bristle portion of a standard paint brush and also providing control of paint volume, due to its constriction.
14. A device as delineated in claim 10, wherein a distribution apron is attached onto the rigid paint tube entity, in the approximate location of the flattened, triangular tube end, via at least two integral curved apron clips to the tube, the same apron being capable of being attached or removed from the tube by an operator, the construction of the apron being made of a flat, flexible material, either of brush-like bristles, foam or other flexible material and having on one side, in the case of a solid, rather than bristle-like material, a series of fan-shaped ridges, which act to distribute paint which is being presented from the triangular-shaped rigid tube end, the flow of paint being directed by the apron ridges in a fan-shaped, spreading manner along the course of the bristles of the standard paint brush and in effect, delivering the paint along the width of the paint brush bristles near

the terminus of the bristles, the paint being in a position to be then applied to the surface to be painted.

15. A distribution apron as recited in claim 14, wherein a flexible material such as plastic, foam or bound bristles is formed into a thin, generally triangular shape and this member is placed on top of the rigid paint tube near the tubes's flattened triangular terminus, featuring a series of fan-shaped ridges on the side facing the paint brush, the same acting as directionals to spread out the paint being expressed through the rigid tube ovoid opening, directing the paint along the surface of the standard paint brush, and having the paint volume terminate at or nearly to the end of the bristles of the standard paint brush, readying the paint for its application to a surface by the brush bristles, and as well, the apron in position over the rigid paint tube, by virtue of its mass and location, regulated paint dripping from the brush area where the apron is situated, in that accumulated paint volume is caught up in between the apron and brush bristles and is prevented from dripping from the brush when the brush is turned in any direction.
16. A device as delineated in claim 10, wherein the rigid paint tube is securely positioned on a longitudinal axis on the surface of an off the shelf paint brush, the same rigid tube being immovably held in its place by a stationary platform, the platform itself securely attached to the brush by its

own means, whether fabricated from a rigid rectangular material of a size to fit on the paint brush approximately midway between the brush handle and the brush bristles, such as hard plastic via at least two side clamps which engage the brush sides and interdigitate with the hard platform by a simple sliding motion and also at least two screws, which pass through both the platform and clamps and when these are tightened, secure the platform to the brush, the platform as well having at least two centrally located topside semilunar clasps facing each other, into and between which the rigid tube can be inserted and help firmly in place, or the platform made of a soft, rectangular-shaped material, which is placed securely and immovably cuff-like around the area of the brush approximately midway between the brush handle and the brush bristles, having a series of perforations laterally and in a downward sequence, which when the soft material is reflected up and down between the perforations in an alternate sequence, provide a series of loops through which the rigid paint tube can be passed through and be securely held on the top surface of the platform and in a centrally located position on the top surface of the paint brush, this aforesaid stationary platform serving simply as a means of support for the rigid paint tube and distribution apron, which itself is secured to the rigid paint tube via its own set of at least two semilunar clasps, the same rigid paint tube and distribution apron being centrally located on the top surface of a standard paint brush in order for the paint which is being expressed from the rigid tube and

continuously flowing between the ridges of the distribution apron and the brush bristles, be able to proceed onto the free brush bristle area at or near the end of the brush and hence, to be thereupon applied to a surface to be painted.

17. A device as delineated in claim 10, wherein a finger-mounted on-off switch is capable of electrically activating or inactivating a pump in a remote paint vessel and thereby controlling the paint flow through a connecting flexible tube which is itself connected from the remote paint vessel to a rigid brush-mounted paint tube, and thus the paint is propelled onward through the tube and spread out on the brush bristle area, the finger-mounted switch being on the same hand which the operator is holding the standard paint brush, and by the simple motion of tapping the finger mounted on-off switch against any portion of the paintbrush, allows the operator to control paint flow completely, having the other hand free.

18. A device as delineated in claim 10, wherein by a combination of the individual elements, these being a remotely located paint-containing vessel with or without a pumping mechanism, the same paint within this vessel having the ability to be expressed and propelled through a flexible tube, via a pump motor or gravity feed, through the tube which is itself fully connected to a second rigid tube, the paint entering the rigid tube from its connection with the flexible tube and continuing along a course through the rigid tube, and finally being expressed from the other end of the same rigid

tube, that end of which has a flattened, triangular opening having the effect of controlling and directing the paint flow onto the top surface of an off the shelf standard paint brush in a manner which allows paint to be directly applied to the brush and furthermore, a separate structure which consists of a flattened, approximately triangular shaped entity known as a distribution apron, which features a series of fan-shaped ridges on the side facing the brush bristles, these in combination with the structure itself allow the paint to be sequestered in between the distribution apron and the brush bristles and the same paint to be summarily directed laterally along the width of the bristles and downward to the terminus of the brush bristles where the paint is to be transferred from the brush to the surface to be painted, this same distribution apron being securely attachable to the rigid paint tube member via a pair of clasps and to be ideally positioned slightly above the triangular shaped end of the rigid paint tube, that rigid paint tube with attached distribution apron is itself securely attached to a standard paint brush by resting on the top of a stationary platform via centrally located platform clasps or a series of binding loops, each of which has the ability to securely, immovably hold the rigid paint tube and attached distribution apron in a position parallel and centrally located on the long axis of the paint brush itself and the same stationary platform itself to be securely attached to the brush, whether by mechanical, laterally positioned clamps and tightening screws or by the friction fit of a cuff-like arrangement of soft material around the central portion of the brush, in between the handle terminus and bristle terminus, featuring a series of containing loops through which the rigid paint tube has been passed and positioned, the whole of which and all interconnecting elements affixed, permits paint to travel from a remote paint vessel uninterrupted from that vessel through a series of flexible and rigid

tubes interconnected, and to further course onto the bristles of a standard paint brush to which the aforesaid elements of the stationary platform, rigid paint tube and distribution apron have been securely, immovably connected, thusly directing a continuous flow of paint, regulated as well by a finger-mounted on-off switch, onto the bristles of a standard paint brush, that paint being delivered to at or near the terminus of the bristles or end of the brush, the paint then being applied from the brush to the surface to be painted in a conventional brush-painting manner.